

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

<p>RABBI DAVID SLOMOVITZ, NATHAN FRANKEL, EDWARD HANDLER, SAMUEL LANDY, MIRIAM LEVITZ, HARRY LIEBER, DAVID REICH, ABRAHAM TAUBER, and MORRIS WALDMAN,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>THE ENCLAVE AT FAIRWAYS, HOMEOWNERS ASSOCIATION, INC., a New Jersey Domestic Corporation,</p> <p style="text-align: right;">Defendant.</p>	<p>Civil No.</p> <p style="text-align: center;"><b>DECLARATION OF MIRIAM LEVITZ</b></p>
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**DECLARATION OF MIRIAM LEVITZ**

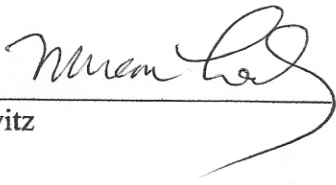
Miriam Levitz declares as follows, pursuant to 28 U.S.C. § 1746:

1. I own a residence in The Enclave at the Fairways ("The Enclave") and <sup>am not</sup> a member of The Enclave at the Fairways Homeowners Association, Inc. ("HOA").
2. I am a practicing Orthodox Jew.
3. I purchased my home at 330 Damiano Way, Lakewood, New Jersey, 08701 in November 2016.
4. I purchased this particular residence because it is immediately adjacent to the Damiano Way gate and this would allow me to spend weekends and holidays with my children and grandchildren who live nearby.

5. My daughter and her family live outside the Enclave on Elmhurst Road, and my son and his family live outside the Enclave in nearby Chesterfield, locations which are both within ten minutes' walking distance from the Damiano Way gate.
6. This location is also within walking distance of my son and daughter's synagogues, which I planned to attend with them upon purchase of my home.
7. Even though I am a homeowner in The Enclave, I have generally not used my home as a residence since moving there.
8. This is because the pedestrian gate at Damiano Way is locked during some of the hours that my husband and I attend synagogue, and when we purchased the home, the gate was not and had never been electronically locked. It is also impossible for my husband to move his body over or under the automobile gate at the Damiano Way exit.
9. It was further impossible for my husband to take the Massachusetts Avenue exit out of The Enclave since he uses a walker for distances greater than twenty-five feet, and that route creates an approximate 1.2 mile detour on unpaved roads with no sidewalks, several hills, and poor lighting.
10. I have also experienced anti-Semitic hostility in the neighborhood since purchasing my home.
11. At the conclusion of an arbitration meeting through the HOA in which I participated in August 2017, one of the participants on the arbitration committee asked me, "When did Orthodox Judaism begin?"

12. During the summer of 2017, I noticed two gentleman sitting in front of my residence. When I asked them what they were doing, they replied that they were watching the gate. This indicated to me that they were monitoring the neighborhood for the entrance of Orthodox Jewish residents and their family and friends.
13. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 5, 2018

  
Miriam Levitz